

CITY OF FORT LAUDERDALE
UNSAFE STRUCTURES BOARD
THURSDAY, MARCH 21, 2013 AT 3:00 P.M.
CITY COMMISSION MEETING ROOM
CITY HALL

Cumulative
Attendance
10/12 through
9/13

Board Members

	Attendance	Present	Absent
Michael Weymouth, Chair	P	4	1
Joe Holland, Vice Chair	P	4	1
John Barranco (arrived 3:04)	P	5	0
Joe Crognale	P	4	1
Pat Hale	P	4	1
Thornie Jarrett	P	5	0
Don Larson	P	5	0
John Phillips (arrived 3:15)	P	5	0
B. George Walker	A	4	1

City Staff

Lori Grossfeld, Board Secretary
Erin Saey, Clerk III
Bridget Patterson, Administrative Aide
Terry Burgess, Building Services Manager
John Madden, Chief Building Inspector
Ginger Wald, Assistant Attorney
George Oliva, Building Inspector
Gerry Smilen, Building Inspector
Jamie Opperlee, ProtoType Inc. Recording Clerk

Communication to the City Commission

None

Witnesses and Respondents

CE11111569: Gerry Scanlon, owner; Thomas Maleta, contractor; Marcus Williams, contractor
CE07080354: Kenny Giacco, buyer's realtor; Jean Darling-Giordano, neighbor; Charles King, neighbor
CE07061056: Edmund Waterman, owner; Enrique Senior, contractor

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1. CE11111569	BROWN, MORRIS L & JACQUELINE D	<u>3</u>
Address:	1642 NW 13 CT	
Disposition:	The Board granted a 91-day extension to June 20, 2013. Board approved 7-0.	
2. CE07080354	GARCIA, ROSA A	<u>8</u>
Address:	603 SOLAR ISLE	
Disposition:	The Board ordered the property to be demolished within 30 days or the City would demolish it. Board approved 8-0.	
3. CE07061056	WATERMAN, EDMUND	<u>26</u>
Address:	627 N FEDERAL HWY	
Disposition:	The Board granted a 56-day extension to May 16 21, 2013. Board approved 7-0 with Mr. Barranco abstaining.	
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The regular meeting of the Unsafe Structures Board convened at 3:00 p.m. at the City Commission Meeting Room, City Hall, 100 North Andrews Avenue, Ft. Lauderdale, Florida.

All individuals giving testimony before the Board were sworn in.

Approval of meeting minutes

Motion made by Mr. Holland, seconded by Mr. Larson, to approve the minutes of the Board's February 2013 meeting. In a voice vote, motion passed 6-0.

Mr. Barranco arrived at 3:04.

1 **Cases**

2
3 **1. Case: CE11111569**

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4 **BROWN, MORRIS L & JACQUELINE D**

5 **1642 NW 13 CT**

6 MS. PATTERSON: The first case, it's old business
7 is on page two. Inspector is George Oliva. Case number is
8 CE11111569, 1642 Northwest 13 Court. The owner is Morris L.
9 Brown and Jacqueline D. Brown.

10 Case was first heard at the 7/19/12 USB hearing.
11 The Board ordered a final order to demo. After a second
12 property search, an interested property submitted a request
13 for reconsideration. It was heard at the 10/18/12 USB
14 hearing. The Board amended the final order and granted a
15 ninety-one-day extension to the 1/17/13 USB hearing. At the
16 1/17/13 USB hearing, the Board ordered a continuance to the
17 2/21/13 USB hearing. At the 2/21/13 USB hearing, The Board
18 granted a twenty-eight-day extension to the 3/21/13 USB
19 hearing. The violations and service as noted in the agenda.

20 CHAIR WEYMOUTH: Very good. Good afternoon
21 Inspector.

22 INSPECTOR OLIVA: Good afternoon Board.

23 MR. WEYMOUTH: If you could give us a brief update;
24 I believe we've got a couple of Board members here today that
25 may not have been here last month. So if you could just kind

1 of give us a recap of where we're at and we'll go from there.

2 INSPECTOR OLIVA: George Oliva, Building Inspector
3 with the City. After our last meeting that we request the
4 owner of the property to come back to the front of the Board
5 with the permits applied. They did apply for the permit;
6 they submit to the City a complete package to have the
7 property rebuilt. And the City's willing to work with them
8 by obtaining, or allow them to have another extension of time
9 so they can complete the restoration of the property.

10 MR. WEYMOUTH: To complete the restoration of the
11 property?

12 INSPECTOR OLIVA: Right. They applied for a master
13 permit, not only to finish the part that was unsafe, but they
14 have to rebuild the interior of the property so that way,
15 they're going to attach everything into one master permit
16 which the City is willing to work with them and allow them
17 enough time to go through the process.

18 MR. WEYMOUTH: Ginger, what time does this come off
19 of the Unsafe Structures? Is it the time that the permit's
20 issued, at the time that the work in question has been
21 corrected? At what time do we wipe this off our slate?

22 MS. WALD: Ginger Wald, Assistant City Attorney.
23 Looking at the violations as to this case, it would be
24 compliance, which would be making the corrections to the
25 violations themselves. Due to the fact that we are dealing

1 with fire, windstorm, that type of damage.

2 MR. WEYMOUTH: Okay, very good. Thank you.

3 Inspector, based on where the plans are at in the Building
4 Department and your best guestimate of the amount of time
5 that it would take to bring it into compliance, what is your
6 best guestimate of a time frame?

7 INSPECTOR OLIVA: At this moment, the City would
8 recommend ninety-one day for compliance by obtaining the
9 permits.

10 MR. WEYMOUTH: That would take us right up to
11 hurricane season on June twentieth.

12 INSPECTOR OLIVA: Right. I want to remind the
13 Board that the work was done with a issued permit for the
14 roof, but the part when they replaced the rafters, that's the
15 part that wasn't permitted. So with the permit being approved
16 and the engineering letter that we received for the work that
17 was done, I would say that they would go through the
18 inspection right away and it will be approved.

19 MR. WEYMOUTH: Okay. Two things first, if we would
20 recognize that Mr. Barranco has joined us. Any questions
21 from the Board?

22 MR. JARRETT: Is the owner here?

23 MR. WEYMOUTH: Is the owner here?

24 INSPECTOR OLIVA: The owner is here and the general
25 contractor also is here.

1 MR. WEYMOUTH: If you could step forward, one of
2 the Board members has a question for you. And if you'd state
3 your name for us please.

4 MR. SCANLON: Afternoon. Gerry Scanlon, I'm the
5 manager of the general partner of the company that now owns
6 it, which is actually called the American Real Estate
7 Strategies Fund, not Mr. Brown or whatever it was as
8 initially reported.

9 MR. WEYMOUTH: Okay.

10 MR. JARRETT: I just have a simple question. It's
11 going to take a while to get the permit. You do intend to
12 move right away after the permit's moved. Because you heard
13 what they're saying, is that you have to be in compliance.

14 MR. SCANLON: I did. I don't think, to be fair,
15 that's a complete fair recollection. There's actually five
16 permits which have been issued, of which only one we're still
17 waiting for the final approval.

18 MR. JARRETT: Oh, I know, you can't do the work
19 until you get the permit, absolutely.

20 MR. SCANLON: Right, right, exactly. So we've got,
21 as far as I understand, and I'm not the expert, but maybe the
22 GC would be a better place to answer this, but there's passed
23 flat re-roof, passed AC duct, passed plumbing, and I think
24 that the one that's still waiting for is the mechanical on
25 the AC.

1 MR. JARRETT: Right.

2 MR. SCANLON: So that's what we're waiting on. And
3 there's been a bit of back and forth with the plans.

4 MR. JARRETT: But your intentions are to move right
5 away.

6 MR. SCANLON: Absolutely. I'm not --

7 MR. JARRETT: Okay.

8 MR. SCANLON: Yes. As I said in the prior meetings
9 --

10 MR. JARRETT: Okay.

11 MR. SCANLON: -- and that's my job, that's what
12 we're here to do.

13 MR. JARRETT: Alright, thank you.

14 MR. SCANLON: Okay, you're welcome.

15 MS. HALE: I'm certain as a real estate --

16 MR. SCANLON: I'm sorry?

17 MS. HALE: I'm certain as a real estate investor,
18 you haven't made a penny while it sits either vacant or not
19 re-sold.

20 MR. SCANLON: Absolutely.

21 MS. HALE: Yes.

22 MR. SCANLON: And I'm - you know, this house was a
23 wreck, it was a disaster and it takes time and that's what
24 we're here to do.

25 MR. WEYMOUTH: Any other questions? Okay. If

1 there's no other questions, somebody want to make a motion?

2 MR. JARRETT: I'll make a motion.

3 MR. WEYMOUTH: Thornie?

4 MR. JARRETT: This would be an extension, right?

5 MR. WEYMOUTH: Yes.

6 MS. WALD: Yes.

7 MR. JARRETT: I move that we find the violations
8 exist as alleged and that we grant the respondent ninety-one
9 days to bring the property in compliance by 6/20/2013.

10 MS. HALE: I'll second that.

11 MR. WEYMOUTH: We have a motion and a second, any
12 further discussion? Take it to a vote, all those in favor
13 say aye.

14 BOARD MEMBERS: Aye.

15 MR. WEYMOUTH: Any opposed? Hearing none, motion
16 passes. Thank you gentlemen. See you in ninety-one days.

17 MS. WALD: Or not.

18 MR. HOLLAND: Or not.

19 MR. WEYMOUTH: Or not. Hopefully we don't see you
20 in ninety-one days. Thank you. Madame Clerk?

21

22 **2. Case: CE07080354**

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23 **GARCIA, ROSA A**

24 **603 SOLAR ISLE**

25 MS. PATTERSON: Next case is on page three, it's

1 new business. Inspector Gerry Smilen, Case number
2 CE07080354, case address is 603 Solar Isle and the owner is
3 Rosa Garcia. The violations and service as noted on the
4 agenda.

5 MR. WEYMOUTH: Alright. Good afternoon Inspector
6 Smilen.

7 INSPECTOR SMILEN: Good afternoon Board. How's
8 everybody doing on this beautiful afternoon?

9 MR. WEYMOUTH: Just wonderful.

10 INSPECTOR SMILEN: I have some pictures. I don't
11 want them to stop; I want them frozen, frozen in place.
12 Okay.

13 [Inspector Smilen displayed photos of the property]

14 INSPECTOR SMILEN: Fort Lauderdale Building
15 Inspector Gerry Smilen presenting Case CE07080354 at 603
16 Solar Isle on page three of today's agenda. I first
17 inspected this site on September 16 of 2009 and this case was
18 opened by Code Officer Ursula Thime on August 7, 2007. I'd
19 like to submit the following dated pictures as evidence into
20 the record. If we can ever get there.

21 This case was transferred to Building Inspector
22 Wayne Strawn on August 9, 2007 and a realtor claimed to have
23 a buyer for the property on March 2, 2009. This case was
24 then transferred to me on September 2, 2009. I spoke to the
25 owner, Rosa Garcia on February 26 of 2010, who said the

1 property's in foreclosure. I spoke to another realtor on May
2 19 of 2010 who said a short sale was to be completed by the
3 end of the day.

4 I then spoke to Mrs. Garcia on October 19 of 2010
5 who said she is letting the property go. I spoke to the
6 owner, Mrs. Garcia, again on July 21 of 2011 who said she has
7 a new buyer that will close in thirty days.

8 The City of Fort Lauderdale boarded up the rear
9 door after a break-in on January 4, 2013 and according to the
10 Broward County Property Appraiser's Office, new ownership has
11 not been recorded so the property still remains according to,
12 as of today's records, in the name of Rosa Garcia.

13 I have a email that was sent by a neighbor that
14 they requested, she requested that this be read into the
15 record. I will read it and then I will display it, I guess,
16 or I can give it to the Board, however you like to do it.
17 This letter was addressed to that City Manager Lee Feldman.
18 And it was addressed on Tuesday, March 19.

19 [Inspector Smilen read the email]

20 Dear Lee, I'm happy that a meeting will take place
21 this Thursday and hopefully Bank of America agrees to take
22 down the house on 603 Solar Isle Drive. I'm sorry, but
23 unfortunately I'm in, I'm currently in Finland and do not
24 have a chance to attend at the meeting. At the moment, the
25 house looks even worse because someone put terrible blue

1 plastic to cover the roof. Truth is that no one can ever
2 stay in that house. I'm the neighbor next door from 613
3 Solar Isle Drive and really hope that the house is going down
4 and the lot clean. Could you please tell this in the meeting
5 as regards from me. Best regards, Tia Weckstrom.

6 How are we doing? Okay, okay. Anyway, this house,
7 as you can tell, it's been on this, on the chopping block for
8 a while. It is an old, wood-frame house and it has
9 deteriorated greatly and once we get the pictures up here.

10 MR. JARRETT: There it goes.

11 MS. HALE: There it is.

12 INSPECTOR SMILEN: Okay. This, as you can tell,
13 this was 2009 from the date. That's when I first went there.
14 That was one of the realtors I spoke to. That's showing the
15 front of the house. You can see the wood was starting to
16 deteriorate or had been deteriorating on the upper parts of
17 the roof. The whole thing is wood frame.

18 As you can see, there is, the siding is already
19 deteriorating and leaks are, water is infiltrating inside of
20 the house. The roof is also starting to sag, you can look at
21 the sash on the window. These are all the original wood
22 sashes. That's starting to deteriorate. You can see some
23 sagging in the roof there.

24 And that's a frontal view. This is the side view
25 here. This, there is a pool back there. It was covered with

1 mesh and visqueen, the visqueen had deteriorated. This is
2 the rear of the property. Keep this picture in mind because
3 I'll show you some pictures coming up later on. That's the
4 Florida room. You can see more deterioration on the wood
5 sashes of the windows and below at the foundation level of
6 the property.

7 That's the side, you can see there's more
8 deterioration. Okay, we're in 2011 now as the wood is
9 starting to fall off the house. Areas are just getting worse.
10 More sagging in the roof, more areas of wood just
11 deteriorating and rotting away that you can see areas there
12 where the roof is starting to sag in the front.

13 That's another upper area. You can see right along
14 there where the roofline joins the siding of the house that's
15 all mush and it's just deteriorating away. That's more areas
16 where the roof is starting to erode. And that's the siding.
17 More areas there. You can see at the foundation level, the
18 wood is just crumbling away.

19 Now we're in 2000, I believe 13, you could see the
20 window is even getting worse. The frame in there and the
21 sash is just sagging and pieces are just disappearing. You
22 can see bubbling in the siding over there. There's even more
23 wood missing now as we go. And that's again an area on the
24 side there.

25 Now, we had to board-up one area on the window in

1 the back from a break-in and then there was another break-in
2 as you can see, the bottom of the door is broken away, the
3 windows were broken out. So we had to secure that. But I
4 was able to get access to go in because of this and these are
5 the pictures coming up of the interior.

6 As you can see severe roof leaks going throughout
7 the house where the ceilings are sagging. That's in the
8 kitchen area there. More areas where we have roof leaks.
9 That's an open-beam ceiling. Again, mildew and ceiling
10 starting to fall in. That's a view from the front to the
11 kitchen in the back.

12 As you can see, we have heavy vegetation just
13 growing in right through the house. Coming in through the
14 doors, coming in through where an AC opening, or AC unit used
15 to be. That's the electrical panel. That was taken off for
16 some reason, I'm not too sure. You can -- that's the inside
17 of the window, you can see it is just sagging and that whole
18 area is starting to deteriorate.

19 This is the wood flooring. What had happened is,
20 there's a problem with the foundation on this property. The
21 back of the house actually is sinking and I tried to catch it
22 on the pictures but what's happened is, because the floor is
23 moving, all of this flooring from the wetness and the
24 movement, it's just bucking up.

25 There's an incline that goes downwards towards the

1 rear, when you're walking there you, you could feel it.
2 Actually, when you're coming from the rear of the house up,
3 you feel like you're walking uphill.

4 That's the bathroom area, obviously. Somebody had
5 knocked a hole in the wall there for one reason or another,
6 I'm not too sure. You have a bar-b-que there. I don't think
7 that was from the open house from the realtor, but you never
8 know. And here we have more areas where we're showing
9 there's mildew and mold. Because when it rains, there's
10 just, you know, it is not weather-tight anymore, this house,
11 at all.

12 That's all warped, all the wood in there. This
13 again, you can just see there's been water in there. There's
14 all that debris and everything is laying in there. And that
15 again is, I'm trying to show the slope going downwards. And
16 that's the front of the house there where I put the notice of
17 an unsafe structure on there. That's about it.

18 MR. WEYMOUTH: I've got a question before we hear
19 from the respondent.

20 INSPECTOR SMILEN: And this meets the criteria of
21 the valuation part of this code to qualify it for a
22 demolition.

23 MR. WEYMOUTH: Okay.

24 INSPECTOR SMILEN: It would take more than fifty
25 percent of the cost. The value of the structure would be

1 approximately \$132,000 and we have a cost value to replace it
2 of \$145,854.

3 MR. WEYMOUTH: Okay. Quick question for you.
4 Recently we've had some cases that are on the water and being
5 familiar with this area, I'm assuming this house in on the
6 water?

7 INSPECTOR SMILEN: Yes it is.

8 MR. WEYMOUTH: Looking at the neglected condition
9 of this house, is the dock in the same disrepair? Is that
10 something that should be considered at the same time? Or,
11 you know, I don't want to see this back again in six months
12 because the dock's now half floating down the canal or what
13 have you.

14 INSPECTOR SMILEN: Well, I haven't really addressed
15 the dock, but I didn't observe anything unusual.

16 MR. WEYMOUTH: Okay.

17 INSPECTOR SMILEN: And considering the land value
18 of this property, we would, it would obviously be a knock-
19 down, whoever would be purchasing the property. And -- yes.

20 MR. WEYMOUTH: No, that's understood, I just wanted
21 to be able to address everything in one fell swoop if there's
22 additional problems.

23 INSPECTOR SMILEN: Well, I did not observe anything
24 unusual as far as the condition of the dock.

25 MR. WEYMOUTH: Any other questions of the inspector

1 before we hear from the respondent?

2 MS. HALE: Yes, just one. You said, when you were
3 mentioning that it was in foreclosure. Is it not in
4 foreclosure now?

5 INSPECTOR SMILEN: That's what I was told; I didn't
6 confirm that. But I've been hearing that ever since I got
7 the case in '09, so.

8 MS. HALE: That it was in foreclosure.

9 INSPECTOR SMILEN: That's what I was told. And it
10 was mentioned a few times but it never reflected it on the
11 property records. It always showed it was in Rosa Garcia's
12 name and it hasn't changed as of today.

13 MS. WALD: Ginger Wald, Assistant City Attorney.
14 Yes, it's still in foreclosure; it has been in foreclosure
15 for a long time. They already have a final judgment. It's,
16 sales have been scheduled and cancelled and rescheduled.
17 Recently, another one's been rescheduled, I don't know if it
18 will go through, on May twenty-eighth of this year.

19 MR. WEYMOUTH: So, just --

20 MS. HALE: We haven't gotten to May twenty-eighth.
21 Is that when the sale is? You --

22 MS. WALD: That's when it's scheduled for
23 presently.

24 MS. HALE: Oh, okay, I'm sorry.

25 MS. WALD: According to Broward County Clerk of

1 Courts Office website, it is scheduled for May the twenty-
2 eighth 2013, ten AM.

3 MR. LARSON: Well that shouldn't bother us at all.

4 MS. HALE: Which bank is it? Some work faster than
5 others.

6 MS. WALD: US Bank National Association is what's
7 listed.

8 MS. HALE: Okay.

9 MR. WEYMOUTH: Inspector, just so the record is
10 very clear before we hear from the respondent, would you
11 please state what the City's recommendation is?

12 INSPECTOR SMILEN: The City recommends a ruling of
13 demolition within thirty days.

14 MR. WEYMOUTH: Thank you. Any other questions of
15 the inspector?

16 MR. JARRETT: I just have one. Gerry, you said,
17 you just had one picture of the foundation. The foundation
18 is wood too and it's rotted also, is that what you said?

19 INSPECTOR SMILEN: Yes.

20 MR. JARRETT: So it's rotten from foundation to the
21 ridge peak.

22 INSPECTOR SMILEN: Well, I haven't seen the rotted
23 foundation with my own eyes, I can just see what's on top of
24 it, what's covering it. And given the age of the house, I
25 would assume that the pilings are probably wood as well. So,

1 yes, there -- that is a common cause for this type of
2 reaction.

3 MR. JARRETT: Okay.

4 MS. HALE: What is the age of this house?

5 MR. JARRETT: Forty-nine. It said 1949, didn't it,
6 somewhere?

7 MS. HALE: Where?

8 MR. WEYMOUTH: Yes, constructed in 1949.

9 MS. HALE: '49.

10 MR. WEYMOUTH: It's on the notice or it's on the --

11 MS. HALE: Yes, I see that.

12 INSPECTOR SMILEN: Yes, that's correct, 1949.

13 MR. WEYMOUTH: Okay. Is the respondent here?

14 Seeing no respondent, are there additional people that want
15 to testify?

16 MS. WALD: Okay, you're the neighbor, you're here
17 for the owner? You go on up. State your name.

18 MR. WEYMOUTH: Well, let me ask you a question
19 before he speaks. When he says he's here for the neighbor --

20 MS. WALD: No, no, for the owner, he said owner.

21 MS. HALE: No.

22 MS. WALD: Let's find out who he is.

23 MR. WEYMOUTH: Okay. Let's find out who he is.

24 MR. GIACCO: Good afternoon, my name is Kenny

25 Giacco, I'm a real estate broker. I represent the buyers of

1 this property and I'm also working with the seller of the
2 property. I've been involved with the property since
3 approximately September 30, trying to execute a short sale.
4 The most recent postponement of the foreclosure sale date was
5 a direct result of the sale we're trying to execute now,
6 which is in process and is moving forward at the first lien
7 holder. That's all I can say right now about the sale.

8 MR. WEYMOUTH: Okay.

9 MR. GIACCO: I have a letter from the buyers. They
10 are a construction company and their intent is to, when they
11 close the property, demolish the property and build a new
12 home on it.

13 MR. WEYMOUTH: Okay. Is the letter something that
14 you're wanting to introduce?

15 MR. GIACCO: Yes. I've never been here, so forgive
16 me.

17 MR. WEYMOUTH: That's okay. The letter may say
18 that they don't want it to be demolished or they do, so I'd
19 rather --

20 MR. GIACCO: Understood.

21 MR. WEYMOUTH: I -- Ginger, I don't know how we
22 qualify that this is, in fact, a buyer. I mean, it could be
23 from anybody, Anthony Zann, or Andrew Zann, as it may be.

24 MR. GIACCO: [inaudible] copy of the contract.

25 MR. WEYMOUTH: And I don't know if we want to start

1 making the contract public notice and all that, but help us
2 through this.

3 MS. WALD: Sure. Ginger Wald, Assistant City
4 Attorney. In this regard, what we usually require as a
5 policy to speak as in the stead of an owner is documentation
6 from the owner, such as a power of attorney. Sometimes we
7 get them through emails from the owner. We'll accept
8 something along those lines. I would consider this gentleman
9 an interested person and take his representations as you may
10 that he is a real estate broker involved in this matter and
11 that he has a pending short sale. And I believe he said he
12 has a contract. If you want to see a contract, that's okay.
13 Regardless, you just take what he says as a witness.

14 MR. WEYMOUTH: Okay. Very good. Does anybody on
15 the Board have -- yes sir.

16 MR. LARSON: Mr. Chairman, I think we've played
17 around with this thing since 2007 and I don't think that
18 anybody's going to do anything. And as far as short sales,
19 I've had short sales go right up to the, almost to the
20 closing date and then the bank backs off.

21 So there's no guarantee that this thing from the
22 bank is going to push it on through for the gentleman. I am
23 a realtor, by the way, so I can state that. The fact is that
24 it's demolished, it's a hazard into the building and it's a
25 detriment to the area and personally I won't vote for

1 anything except the demolishing on it. That's my feelings.

2 MR. WEYMOUTH: Okay. If the record will reflect
3 that Mr. Phillips has joined the dais please. Thank you.
4 Any other questions of this individual before we hear from
5 anybody else? Thank you sir. Is there anybody else that
6 would like to speak on this matter? Good afternoon ma'am.
7 If you'd please state your name.

8 MS. DARLING-GIORDANO: Yes, Jean Darling-Giordano,
9 I'm a neighbor.

10 MR. WEYMOUTH: I'm sorry?

11 MS. DARLING-GIORDANO: Jean Darling-Giordano, I'm a
12 member of the Riviera Isles Homeowners Association and I
13 guess I'm speaking for myself as well as the board.
14 Requesting that you consider demolishing this property. I've
15 lived two doors away from it for fourteen years and have
16 driven by it over that time period and watched it deteriorate
17 and deteriorate.

18 We've heard many rumors of impending sales, short
19 sales, foreclosures and no one's ever really been able to
20 tell us what's going on with the property. I just spent over
21 half a million dollars renovating my own home and this is
22 such an eyesore. And I can answer the question about the
23 dock. I was in the yard the other day and yes, the dock
24 needs to come down as well. I'm not a professional but from
25 my perspective that would be --

1 MR. WEYMOUTH: Well, we'll ask the City to go back
2 and revisit that.

3 MS. DARLING-GIORDANO: Thank you.

4 MR. WEYMOUTH: And depending on what the order is,
5 it may be included --

6 MS. DARLING-GIORDANO: I don't want to take up a
7 lot of your time but.

8 MR. WEYMOUTH: Maybe not included, based on their
9 recommendation.

10 MS. DARLING-GIORDANO: I just, I think we'd all, in
11 the neighborhood -- a neighbor of mine was trying to come
12 today but she couldn't make it -- like some resolution
13 because it's just gone on for years and years. And
14 everything from power lines shorting out because of the trees
15 in front, we've had all sorts of inconveniences. And as you
16 know, it's an eyesore completely. And our neighborhood is
17 too nice to have to live with this again, or for any longer.
18 So thank you for your time.

19 MR. WEYMOUTH: Very good. Thank you ma'am.

20 MR. JARRETT: I have one question.

21 MR. WEYMOUTH: Excuse me, there's one question.
22 There's one question of you. You can't get out of here that
23 easy.

24 MS. DARLING-GIORDANO: That's okay. I'll stay as
25 long as you'd like.

1 MR. JARRETT: How many years has it been since
2 somebody actually lived in that house?

3 MS. DARLING-GIORDANO: I would venture to guess
4 about seven.

5 MR. JARRETT: And nothing has been done to it in
6 that period of time?

7 MS. DARLING-GIORDANO: No.

8 MR. JARRETT: You're the neighbor, you would know.

9 MS. DARLING-GIORDANO: That's right.

10 MR. JARRETT: If somebody was out there making
11 repairs or anything.

12 MS. DARLING-GIORDANO: Uh-huh. [affirmative] No.

13 MR. JARRETT: So nothing's been done to it in seven
14 years.

15 MS. DARLING-GIORDANO: I know we've called the City
16 and asked them to come clean up the yard. And there was the
17 issue with the pool. I'm not sure exactly how that was
18 resolved. There is a cover on it now but it's quite
19 deteriorated.

20 MR. WEYMOUTH: Okay.

21 MR. JARRETT: Thank you.

22 MS. DARLING-GIORDANO: Thank you.

23 MR. WEYMOUTH: Any other questions?

24 MR. JARRETT: No.

25 MR. WEYMOUTH: Thanks. Are there any other people

1 that would like to speak? Hearing none, we'll close the
2 general public portion of this. Is there any additional
3 discussion before somebody wants to make a motion? Yes sir.

4 MR. HOLLAND: Yes. I don't know, for some reason,
5 I'm toying with the idea of using our standard demolition
6 language but maybe allowing sixty days. Does anybody have
7 any thoughts on that?

8 MR. WEYMOUTH: My thought is, is everybody's got
9 the same, it sounds like both sides have got the same intent.
10 The City wants to see it demolished, the potential buyer,
11 even though he's a contractor, has apparently said that he
12 wants to see it demolished so I would tend to agree with the
13 neighbor and Mr. Larson's -- I'd say expedite it.

14 And that's the cost of doing business. If they
15 could have demoed it for a little bit less, so be it, but at
16 least it's down and gone. But that's my own personal
17 opinion.

18 MR. HOLLAND: Yes, my only thought was who's
19 incurring that cost. I know it can be liened and settled in
20 any transactions, but just a thought. Anyway.

21 MR. WEYMOUTH: I think that if the potential buyer
22 is serious about that, I don't think there's enough of an
23 expense in demolishing a building like that that makes it a
24 question of whether they should buy it or not. And if it is
25 and they don't buy it then the building's gone, so.

1 MR. HOLLAND: Point well taken.

2 MR. WEYMOUTH: Any additional discussion? Somebody
3 want to make a motion?

4 MR. LARSON: I'll make that motion.

5 MR. WEYMOUTH: Alright Mr. Larson.

6 MR. LARSON: I move that we find that the
7 violations exist as alleged and that we order the property
8 owner to demolish the structure within thirty days and that
9 we order the City to demolish the structure should the
10 property owner fail to timely demolish. Such demolition is
11 to be accomplished by a licensed demolition contractor
12 pursuant to a City-issued demolition permit.

13 MR. WEYMOUTH: Thank you. We have a motion, do we
14 have a second?

15 MS. HALE: I'll second.

16 MR. CROGNALE: Second.

17 MR. WEYMOUTH: Okay, multiple seconds. Let's give
18 it to Ms. Hale.

19 MR. LARSON: Mr. Chairman?

20 MR. WEYMOUTH: Yes.

21 MR. LARSON: Can we make another motion to demolish
22 this dock or should we wait until we hear from the City?

23 MR. WEYMOUTH: No. I wouldn't muddy it up.

24 MR. LARSON: Okay, okay.

25 MR. WEYMOUTH: I think Mr. Smilen has a visit to

1 the property probably scheduled already so we're going to go
2 no on that. Is there any further discussion before we put it
3 to a vote? Seeing, hearing none, all in favor say aye.

4 BOARD MEMBERS: Aye.

5 MR. WEYMOUTH: Any opposed? Hearing none, motion
6 passes. Thank you. Madame Clerk?

7

8 **3. Case: CE07061056**

INDEX

9 **WATERMAN, EDMUND**

10 **627 N FEDERAL HWY**

11 MS. PATTERSON: Next case is on page one.

12 Inspector is Gerry Smilen. Case number CE07061056. Address
13 627 North federal Highway. Owner is Edmund Waterman.

14 The case was first heard at the 6/21/12 USB
15 hearing. The Board ordered a twenty-eight day continuance to
16 the 7/19/12 hearing. At the 7/19/12 USB hearing, the Board
17 ordered a sixty-three day extension to the 9/20/12 hearing.
18 At the 9/20/12 USB hearing, the Board ordered a fifty-six day
19 extension to the 11/15/12 hearing.

20 At the 11/15/12 USB hearing, the Board ordered a
21 final order to demo. A letter was received 12/27/12 from
22 owner for a motion to reconsider. At the 1/17/13 USB
23 hearing, the Board granted the motion for reconsideration,
24 vacated the final order of 11/15/12 and granted a sixty-three
25 day extension to the 3/21/13 USB hearing. Violations and

1 service as noted in the agenda.

2 INSPECTOR SMILEN: Gerry Smilen, Building
3 Inspector, City of Fort Lauderdale, reporting on Case
4 CE07061056 at 627 North Federal Highway. At this point,
5 there's been a lot of work that has been done. I took these
6 photos, I believe it was, yes, a couple days ago.

7 Right above that flat area on the roof where it
8 looks, appears to be a mansard, there used to be a pergola
9 there -- that was removed. All of the areas, the overhangs
10 and all the trim has been freshly painted white. As you can
11 see, that's the front area on Federal Highway. And
12 everything has been, the building looks much better, it's
13 been cleaned up.

14 There's the overhangs -- are we going to -- okay --
15 there are overhangs that go around, wrap around the building
16 on the front and the side here. They've all been refinished,
17 everything's painted white and nice and clean. All the
18 columns have been painted white and clean. The front, the
19 door entry there has been painted and it's clean. There's
20 shutters over all the openings so the building is secured.

21 At this point, there is a structural roof repair
22 permit that was, they had to make revisions on it and those
23 revisions were approved and the actual, as of yesterday, this
24 permit is ready to be issued. And the owner and the
25 contractor are aware of it. Once this permit is issued and

1 they complete that work, the City would not consider this an
2 unsafe structure anymore.

3 MR. WEYMOUTH: Okay. Any questions for the
4 inspector? What's your recommendation?

5 INSPECTOR SMILEN: I would recommend an extension
6 of fifty-six day.

7 MR. WEYMOUTH: And that would be in order to
8 complete the deficiencies.

9 INSPECTOR SMILEN: To complete the work on the
10 structural repairs of the roof.

11 MR. WEYMOUTH: Okay.

12 INSPECTOR SMILEN: And hopefully it'll happen
13 before that and it'll be complied.

14 MR. WEYMOUTH: Would anybody like to hear from the
15 respondent?

16 MR. LARSON: Not really.

17 MR. WEYMOUTH: Would somebody like to make a
18 motion?

19 MR. JARRETT: I'll make a motion.

20 MR. WEYMOUTH: Thornie.

21 MR. JARRETT: Think you'd like to tell us that
22 you're going to immediately go pick up the permit and --

23 MR. SENIOR: Hello, how are you today?

24 MR. WEYMOUTH: How are you?

25 MR. SENIOR: Enrique Senior, I'm the owner's

1 building representative. And I just wanted -- we're moving
2 forward. It shows that we're coming over here every forty-
3 five days. I already got in my request for the trusses and
4 all that and they're going to take at least thirty days to
5 forty-five days to give them to us. And if we run through
6 the inspection list they gave me and the special inspector
7 that I have to bring in, we need a little bit more of time to
8 [inaudible] and get this job done.

9 We're really working to get out there and solving
10 it. So we appreciate if we can get extended a little bit
11 more time. And we're just going to come and report that
12 we're on the way. We're trying to get out of there as soon
13 as we can [inaudible]

14 MR. WEYMOUTH: The City has recommended a fifty-
15 six-day extension. Do you think that you can complete what
16 you need to within that time frame?

17 MR. SENIOR: No, I don't think it's going to happen
18 because I already got the answer from the different people
19 and I talked to the special inspector and everything that's
20 going to go on. We need, I think we need to just take it one
21 notch father than that and we should be able to come in and
22 maybe be completely done.

23 MR. LARSON: Ninety-one days.

24 MR. SENIOR: And just report that we're done. But
25 if you'd like to see us again here, we come and see you.

1 MR. WEYMOUTH: Does anybody have any questions for
2 the respondent?

3 MR. JARRETT: Were you aware that the permit was
4 ready?

5 MR. SENIOR: No, I found out the permit [inaudible]
6 and I met yesterday so I would come out as soon as possible
7 and I've been taking care of each question and everything
8 because they asked me for uplift tests for tectum so I have
9 to show them how we're doing the repair. So we tried to not
10 to touch that roof. And how we're going to do the repairs so
11 it makes sense and it works with the code. So I'm on top of
12 it.

13 MR. WEYMOUTH: Okay. Any other questions? Any
14 dialog? Motions? Drinks?

15 MS. HALE: Yes.

16 MR. WEYMOUTH: Dinner?

17 MR. LARSON: Give them ninety-one days.

18 MR. BARRANCO: Mr. Chair?

19 MR. WEYMOUTH: Yes sir?

20 MR. BARRANCO: I'm going to abstain from this vote;
21 I'm conflicted out.

22 MR. WEYMOUTH: Okay. Mr. Barranco is abstaining
23 from the vote. My only conversation to this is, I would tend
24 to -- I know that it's burdensome for you to continue to come
25 back -- but I would tend to want to support the City in

1 seeing that in fifty-six days there's actually been, in this
2 case it would be hopefully two-thirds of the work done.

3 I know it's difficult but I think we'd be remiss
4 going into hurricane season knowing that something hasn't
5 been done and find out thirty days later when we're probably
6 at a point where we can't do anything. That's my only
7 suggestion. So anybody else have any comments?

8 MS. HALE: No, but Gerry, you said fifty-six days?
9 Is that not what you said?

10 INSPECTOR SMILEN: Gerry Smilen, Building
11 Inspector, City of Fort Lauderdale, that is what I said,
12 fifty-six days.

13 MS. HALE: Thank you. I'll make a motion.

14 MR. WEYMOUTH: Okay, Ms. Hale.

15 MS. HALE: I move that we find the violations exist
16 as alleged and that we grant the respondent fifty-six days to
17 bring the property into compliance by --

18 MR. WEYMOUTH: May 16.

19 MS. HALE: May 16, 2013.

20 MR. WEYMOUTH: We have a motion, do we have a
21 second?

22 MR. LARSON: Second.

23 MR. WEYMOUTH: We have a second from Mr. Larson.

24 Any further discussion before we go for a vote? We have
25 somebody --

1 MS. WALD: You already closed the public meeting.

2 MR. WEYMOUTH: Huh?

3 MS. WALD: Did you already close the public
4 meeting?

5 MR. HOLLAND: We have a motion and a second. It's
6 Board discussion, not outside the Board.

7 MR. WEYMOUTH: Okay. Seeing no further discussion,
8 all in favor say aye.

9 BOARD MEMBERS: Aye.

10 MR. WEYMOUTH: Any opposed? Hearing none, motion
11 carries. See you guys in fifty-six days. Thank you.

12 Madame Clerk?

13 MS. PATTERSON: I have nothing else sir.

14 INDEX

15 **COMMUNICATION TO THE CITY COMMISSION**

16 CHAIR WEYMOUTH: You don't want to know if we've
17 got something for out fine City Commission?

18 INDEX

19 **FOR THE GOOD OF THE CITY**

20 MS. PATTERSON: Oh.

21 MS. WALD: For the good of the City.

22 MS. PATTERSON: For the good of the City.

23 MR. WEYMOUTH: The City's great, so we have
24 nothing, I have nothing for the good of the City.

25 MS. HALE: I thought it was drinks and dinner on

1 you.

2 MR. WEYMOUTH: It was until you guys made a motion,
3 seconded and carried it.

4 MR. LARSON: I make a motion we adjourn.

5 MR. BARRANCO: Mr. Chair?

6 MR. WEYMOUTH: We have a motion --

7 MR. BARRANCO: Do we want to ask this gentleman if
8 he had a general question for the Board, or?

9 MR. WEYMOUTH: Do you have a general question for
10 the Board?

11 MR. KING: I was actually here about 603.

12 MR. WEYMOUTH: Okay.

13 MR. KING: I guess you guys are --

14 MS. WALD: We already heard it.

15 MR. WEYMOUTH: That has been heard and --

16 MR. KING: I've seen this thing for a long time --

17 MS. WALD: Wait, wait, wait, we've already heard
18 that case.

19 MR. WEYMOUTH: No, yes.

20 MR. HOLLAND: Yes.


21 MR. KING: I didn't know if it was a chop shop or
22 something, but --

23 MR. HOLLAND: No.

24 MS. WALD: No, we don't take [inaudible] testimony
25 after [inaudible].

1 MR. WEYMOUTH: No. Thank you, thank you. We have
2 a motion to adjourn. Thank you.

3
4
5 [Meeting concluded at 3:40 pm.]
6

7
8 
BOARD CLERK

9 
10 MICHAEL WEYMOUTH, CHAIR

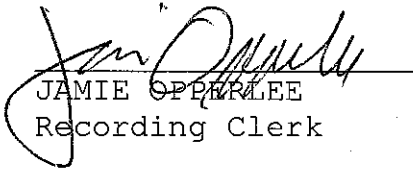
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12 [Minutes prepared by: J. Oppерlee, Prototype, Inc.]
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CERTIFICATION

I hereby certify that I have recorded and transcribed the City of Fort Lauderdale Unsafe Structures Board meeting held March 21, 2013, at 3:00 p.m., City Hall, 100 North Andrews Avenue, City Commission Meeting Room, Fort Lauderdale, Florida.

Dated at Ft. Lauderdale, Broward County, Florida, this 18th day of April, 2013.

PROTOTYPE, INC.


JAMIE OPPERLEE
Recording Clerk

SWORN TO and SUBSCRIBED before me by JAMIE OPPERLEE who is personally known to me and who signed the foregoing for the purposes therein expressed.

DATED this 18 day of April, 2013.



D.J. GROSSFELD
MY COMMISSION # EE 005068
EXPIRES: April 26, 2015
Bonded Thru Budget Notary Services


NOTARY PUBLIC
State of Florida